



House of Representatives

General Assembly

File No. 283

February Session, 2016

House Bill No. 5462

House of Representatives, March 30, 2016

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT REQUIRING THE INSTALLATION OF SEAT SAFETY BELTS ON SCHOOL BUSES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 14-275 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2016*):

4 (c) (1) Each school bus shall be equipped with special automatic,
5 electrically-operated flashing stop signals, which shall be independent
6 and separate from the braking, stop and tail lights of standard
7 equipment. Such flashing lights may include automatic traffic
8 signalling devices showing red and amber lights and shall be so
9 located that adequate warning will be afforded to both oncoming and
10 overtaking traffic, except that each school bus manufactured on and
11 after October 1, 1984, and registered for use in this state shall be
12 equipped with an eight-light warning system, showing two red
13 flashing stop signals and two amber flashing warning signals on the
14 front and rear of the bus, and a stop semaphore. The commissioner

15 may adopt standards for an eight-light warning system and standards
16 and specifications for the construction of school buses and for
17 equipment to be maintained on school buses consistent with the
18 provisions of sections 14-275 to 14-281, inclusive.

19 (2) Both public and private owners of school buses shall maintain a
20 record of such kinds of repairs made to such buses as the
21 commissioner may require and such work record shall be available at
22 all times to the commissioner and the commissioner's designated
23 assistants. All such maintenance records shall be retained for a period
24 of two years.

25 (3) Each school bus shall be equipped with emergency lighting
26 equipment as provided by section 14-97a, with a defrosting device as
27 provided by section 14-97, with a system of mirrors as provided in the
28 Code of Federal Regulations Title 49, Section 571.111, as amended, or
29 with an outside mirror as provided by section 14-99 and a system of
30 crossover mirrors designed and mounted so as to give the driver a
31 view of the road from the front bumper forward to a point where
32 direct observation is possible and along the left and right sides of the
33 bus, with a signalling device as provided by section 14-101, and with
34 chain nonskid devices for immediate use on at least one outside or
35 inside rear tire on each side or tires designed to prevent skidding on all
36 rear wheels when weather and highway conditions require such use.

37 (4) Commencing February 1, 1974, each new school bus with a
38 vehicle air brake system shall be so equipped that the brake system is
39 operated from a separate air reservoir tank other than the air reservoir
40 tank used to operate any other compressed air or vacuum operated
41 devices with which the school bus may be equipped.

42 (5) The seating requirements of section 14-273 shall be observed.

43 (6) Notwithstanding the provisions of section 14-98, school buses
44 may be equipped with tires incorporating a metal nonskid device
45 during the period from October fifteenth to April thirtieth, inclusive.

46 (7) Each school bus that is model year 2007 or newer shall be
 47 equipped with a crossing control arm mounted on the right end of the
 48 front bumper. The commissioner shall establish additional standards
 49 and requirements for such devices in regulations adopted in
 50 accordance with the provisions of chapter 54.

51 (8) Each school bus that is model year 2021 or newer shall be
 52 equipped with three-point lap and shoulder seat safety belts for each
 53 seating position on such school bus. The commissioner shall suspend
 54 the registration of any school bus not equipped with three-point lap
 55 and shoulder seat safety belts, as required by this subdivision until
 56 such seat safety belts have been installed.

57 Sec. 2. (NEW) (*Effective January 1, 2018*) (a) The operator of and any
 58 passenger of a school bus, as defined in section 14-275 of the general
 59 statutes, as amended by this act, that is equipped with three-point lap
 60 and shoulder seat safety belts shall wear such seat safety belt while the
 61 school bus is being operated.

62 (b) A school district shall provide written notice concerning the
 63 availability and proper use of three-point lap and shoulder seat safety
 64 belts to a parent or legal guardian of each student who will be
 65 transported on a school bus. A school district shall instruct such
 66 students on the proper use, fastening and unfastening of such seat
 67 safety belts.

68 (c) No local or regional school district, carrier with whom a local or
 69 regional school district has contracted for the transportation of
 70 students, or operator of a school bus shall be liable for damages for
 71 injury resulting solely from a student's use, misuse or failure to use a
 72 seat safety belt installed on a school bus.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	14-275(c)
Sec. 2	<i>January 1, 2018</i>	New section

TRA *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	FY 17 - 19	FY 20 - 32
State Technical High Schools	GF - None	917,000 – 1,572,000 ¹
Education, Dept.	GF – None	See Below

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 17 - 19	FY 20 - 32
Local and Regional School Districts	STATE MANDATE - Cost	None	41.1 million – 70.4 million ¹

Explanation

There are no anticipated costs in FY 17 - FY 19 as the bill requires all school buses model year 2021 or newer to be equipped with three-point lap and shoulder seat belts (“seat belts”) for each seating position.

The bill results in significant costs to local and regional boards of education and the technical high school system, which are estimated to begin in FY 20, and continue over the course of replacing the entire state fleet of large school buses, which is anticipated to take approximately twelve years.

The bill only applies to large school buses, as the National Highway Traffic Safety Administration (NHTSA) already requires seat belts on small school buses. There are approximately 6,000 large school buses registered with the Department of Motor Vehicles, 131 of which are

¹ Does not include annual maintenance, capacity, or training/notification costs.

operated by the technical high school system. It is anticipated that starting at the end of FY 20 and continuing through 2032, local and regional boards of education, and the technical high school system will begin the process of replacing older buses with the 2021 or newer models, which would include seat belts. There are four cost components associated with purchasing new buses with seat belts: (1) equipment costs, (2) maintenance costs, (3) capacity costs, and (4) training and notification.

Table 1 below provides a summary of the cost components on requiring seat belts on large school buses.

Table 1				
	Equipment Costs (\$) Over the 12 years of replacing the state fleet	Annual Maintenance Costs (\$) Will vary annually based on the number of buses replaced	Capacity Costs (\$) Per bus	Training and Notification Annually, Per District
Technical High School System	917,000 – 1,572,000 million	Up to 65,500	90,000-120,000	Up to 5,000
Local and Regional Boards of Education	41.1 million – 70.4 million	Up to 2.9 million	90,000-120,000	Up to 5,000

Cost Components:

Equipment Costs

It is anticipated that purchasing a new, large school bus, with seat belts costs between \$7,000 and \$12,000 more than a new bus without seat belts. This results in an increased cost to the technical high school system of approximately \$917,000 - \$1,572,000 and an increased cost to local and regional boards of education of approximately \$41.1 million - \$70.4 million over the twelve year period of replacing the entire state fleet of large school buses.

Maintenance Costs

It is estimated that large school buses with seat belts cost up to an additional \$500 annually, to maintain. The increased maintenance costs are associated with repairing and replacing damaged belts and latch systems. This results in an increased annual cost to the technical high school system of up to \$65,500 and \$2.9 million to local and regional boards of education. The increased costs will vary, annually, depending on how many new buses have been replaced. Once the entire state fleet has been replaced the increased annual maintenance costs could be up to \$2.9 million.

Capacity Costs

Each new, large school bus equipped with seat belts has less capacity than large school buses without seat belts. On average, a new bus with seat belts holds up to twelve fewer middle school students than a bus without seat belts. To the extent that local and regional boards of education and the technical high school system have capacity issues, the schools could either be forced to run extra bus routes or buy additional school buses to make up for the difference in capacity. On average, a new school bus with seat belts costs between \$90,000 - \$120,000.

Training and Notification

The bill requires that for each student who will ride a school bus the school district is responsible for (1) notifying parents and guardians about proper use of the belts, and (2) instructing students on properly fastening and unfastening the belts. It is anticipated that the requirements could cost districts and the technical high school system up to \$5,000 annually.

Impact on the Transportation of School Children State Grant

Local and regional school district transportation costs are reimbursed by the state through the transportation of school children grant, in the year subsequent to the year in which the local expenditure

occurred. The FY 16 appropriation for the grant is approximately \$23.3 million. The transportation of school children grant is formulated using a wealth-based sliding scale. Currently, the state is reimbursing municipalities for approximately 5.2% of total local costs. Based on this percentage, a portion of the equipment, maintenance, and capacity costs referenced above could be eligible for a state grant, thus increasing costs for the state. However, for FY 16 the transportation of school children grant was flat funded and capped at approximately 26% of full formula funding.

Sources: National Highway Traffic Safety Administration, Dattco.com, School Transportation News, United States Department of Transportation

OLR Bill Analysis**HB 5462*****AN ACT REQUIRING THE INSTALLATION OF SEAT SAFETY BELTS ON SCHOOL BUSES.*****SUMMARY:**

This bill requires all school buses model year 2021 or newer to be equipped with three-point lap and shoulder seat belts for each seating position. The Department of Motor Vehicles (DMV) commissioner must suspend the registration of any school bus that is not equipped with such seat belts until they are installed.

Beginning January 1, 2018, the bill requires drivers and passengers of school buses equipped with three-point lap and shoulder seat belts to wear the seat belts while the bus is being operated. Under the bill, no bus driver, school district, or school transportation carrier with which a school district has contracted is liable for damages for injuries resulting solely from a student's use, misuse, or failure to use installed seat belts.

For each student who will ride a school bus, the bill requires school districts to:

1. notify the student's parent or guardian in writing about the availability and proper use of three-point lap and shoulder seat belts, and
2. instruct them on properly using, fastening, and unfastening the seat belts.

EFFECTIVE DATE: January 1, 2018, except that provisions requiring (1) certain school buses to be equipped with seat belts and (2) DMV to suspend registrations of buses not properly equipped are effective October 1, 2016.

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 32 Nay 1 (03/15/2016)